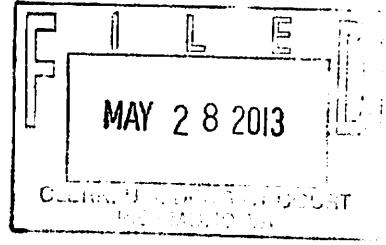


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



WILLIAM BENJAMIN KIERNAN,)
v.)
Plaintiff,)
MICHAEL J. ASTRUE,) Civil Action No. 3:12CV459-HEH
Commissioner of Social Security,)
Defendant.)

ORDER
(Adopting Report and Recommendation of Magistrate Judge)

THIS MATTER is before the Court on the parties' cross motions for summary judgment (ECF Nos. 10, 13), Plaintiff's Motion to Remand (ECF No. 11), the Magistrate Judge's Report and Recommendation (ECF No. 15), and Plaintiff's objection thereto (ECF No. 18). For the reasons stated in the accompanying Memorandum Opinion, Plaintiff's objection is OVERRULED; Plaintiff's Motion for Summary Judgment (ECF No. 10) and Plaintiff's Motion to Remand (ECF No. 11) are DENIED; Defendant's Motion for Summary Judgment (ECF No. 12) is GRANTED; the Report and Recommendation is ADOPTED; and, the decision of the Commissioner is AFFIRMED.

The Clerk is directed to forward a copy of this Order and the accompanying Memorandum Opinion to all counsel of record.

This case is CLOSED.

It is so ORDERED.

Date: May 28, 2013
Richmond, Virginia

Henry E. Hudson
/s/
Henry E. Hudson
United States District Judge